

State of Arizona  
Senate  
Forty-sixth Legislature  
Second Regular Session  
2004

CHAPTER 187

**SENATE BILL 1335**

AN ACT

AMENDING TITLE 13, CHAPTER 36, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3609; RELATING TO FAMILY OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 13, chapter 36, Arizona Revised Statutes, is amended  
3 by adding section 13-3609, to read:

4 13-3609. Child bigamy; classification; definitions

5 A. A PERSON COMMITS CHILD BIGAMY IF THE PERSON KNOWINGLY DOES ANY OF  
6 THE FOLLOWING:

7 1. IS AT LEAST EIGHTEEN YEARS OF AGE, HAS A SPOUSE AND MARRIES A  
8 CHILD.

9 2. IS AT LEAST EIGHTEEN YEARS OF AGE AND DIRECTS, CAUSES OR CONTROLS,  
10 EITHER ALONE OR IN ASSOCIATION WITH OTHERS, THE MARRIAGE OF A CHILD TO A  
11 PERSON WHO ALREADY HAS A SPOUSE.

12 3. IS AT LEAST EIGHTEEN YEARS OF AGE AND, EITHER ALONE OR IN  
13 ASSOCIATION WITH OTHERS, DIRECTS, CAUSES OR CONTROLS THE MARRIAGE OF A CHILD  
14 IF THE CHILD ALREADY HAS A SPOUSE.

15 4. TRANSPORTS OR FINANCES THE TRANSPORTATION OF A CHILD TO PROMOTE  
16 MARRIAGE BETWEEN THE CHILD AND A PERSON WHO ALREADY HAS A SPOUSE.

17 5. IS AT LEAST EIGHTEEN YEARS OF AGE AND MARRIES A CHILD IF THE CHILD  
18 ALREADY HAS A SPOUSE.

19 6. TRANSPORTS OR FINANCES THE TRANSPORTATION OF A CHILD WHO ALREADY  
20 HAS A SPOUSE TO PROMOTE MARRIAGE BETWEEN THE CHILD AND ANOTHER PERSON.

21 B. THIS SECTION DOES NOT APPLY IF A PERSON WHO MARRIES A CHILD:

22 1. HAS A SPOUSE WHO HAS BEEN ABSENT FOR AT LEAST FIVE SUCCESSIVE YEARS  
23 WITHOUT BEING KNOWN TO THE PERSON WITHIN THAT TIME TO BE LIVING.

24 2. HAS A FORMER MARRIAGE THAT HAS BEEN PRONOUNCED VOID, ANNULLED OR  
25 DISSOLVED BY JUDGMENT OF A COMPETENT COURT.

26 C. A VIOLATION OF THIS SECTION IS A CLASS 3 FELONY.

27 D. FOR THE PURPOSES OF THIS SECTION:

28 1. "MARRIAGE" MEANS THE STATE OF JOINING TOGETHER AS HUSBAND AND WIFE  
29 THROUGH AN AGREEMENT, PROMISE OR CEREMONY REGARDLESS OF WHETHER A MARRIAGE  
30 LICENSE HAS BEEN ISSUED BY THE APPROPRIATE AUTHORITY.

31 2. "MARRY" MEANS TO JOIN TOGETHER AS HUSBAND AND WIFE THROUGH AN  
32 AGREEMENT, PROMISE OR CEREMONY REGARDLESS OF WHETHER A MARRIAGE LICENSE HAS  
33 BEEN ISSUED BY THE APPROPRIATE AUTHORITY.

34 3. "SPOUSES" MEANS TWO PERSONS LIVING TOGETHER AS HUSBAND AND WIFE,  
35 INCLUDING THE ASSUMPTION OF THOSE MARITAL RIGHTS, DUTIES AND OBLIGATIONS THAT  
36 ARE USUALLY MANIFESTED BY MARRIED PEOPLE, INCLUDING BUT NOT NECESSARILY  
37 DEPENDENT ON SEXUAL RELATIONS.

APPROVED BY THE GOVERNOR MAY 3, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 3, 2004.

Passed the House April 20, 20 04,

by the following vote: 56 Ayes,

0 Nays, 4 Not Voting

Jake Flake  
Speaker of the House  
Freeman L. Fyfe  
Chief Clerk of the House

Passed the Senate February 23, 20 04,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

Klu Bennett  
President of the Senate  
Charmine B. Bledsoe  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

       day of       , 20      ,

at        o'clock        M.

        
Secretary to the Governor

Approved this        day of

      , 20      ,

at        o'clock        M.

        
Governor of Arizona

S.B. 1335

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this        day of       , 20      ,

at        o'clock        M.

        
Secretary of State

SENATE CONCURS IN HOUSE AMENDMENTS  
AND FINAL PASSAGE

Passed the Senate April 27, 20 04,

by the following vote: 25 Ayes,

0 Nays, 5 Not Voting

Kln Blumett  
President of the Senate

Charmine Bellinger  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

27th day of April, 2004,

at 1 o'clock P. M.

Dennifer Lybarr  
Secretary to the Governor

Approved this 3 day of

May, 2004,

at 2:40 o'clock P. M.

Jt Ng-L  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 3 day of May, 2004,

at 3:51 o'clock P. M.

Janice K. Brewer  
Secretary of State

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